

Appl. No. : 10/031,818  
Filed : March 6, 2002

### REMARKS

In response to the restriction requirement set forth in the communication, Applicant elects to prosecute Group I, Claims 1, 3-5, 8, 10-12, and 21-28, drawn to a MITE-like element capable of causing duplication of the target sequence (A)nG(A)n, a transcriptional activation element containing at least one MITE-like element as a transposable element, a transgene expression cassette, a plasmid and a transgenic plant. This election is made without traverse.

Applicant reserves the right to pursue the remaining claims in a divisional application. Accordingly, prompt examination on the merits of Claims 1, 3-5, 8, 10-12, and 21-28 is respectfully requested.

As a result of this preliminary amendment, Claims 2, 6-7, 9-10, and 13-20 are canceled and Claims 8, 21, and 22 have been amended. Accordingly, Claims 1, 3-5, 8, 11-12, and 21-28 are presented for examination. No new matter is being added herewith.

### Conclusion

Should there be any questions concerning this application, the Examiner is invited to contact the undersigned agent at the telephone number appearing below. Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: April 15, 2004

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